

## **ORDINANCE NO. 1481**

**AN ORDINANCE CANCELING THE NOVEMBER 8, 2022 REGULAR ELECTION AND DECLARING EACH UNOPPOSED CANDIDATE ELECTED TO OFFICE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Benbrook, Texas is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

**WHEREAS**, in accordance with law a general election has been ordered for November 8, 2022 for the purpose of electing City Council members to serve on the City Council in the City of Benbrook; and

**WHEREAS**, no propositions are to appear on the ballot in that election; and

**WHEREAS**, the City Secretary has certified in writing that each candidate on the ballot is unopposed for election to office; and

**WHEREAS**, the filing deadlines for placement on the ballot and declaration of write-in candidacy has passed; and

**WHEREAS**, in these circumstances Title 1, Chapter C, Subchapter C, Section 2.053, 2 of the Texas Election Code authorizes a governing body of a political subdivision, by order or ordinance, to declare each unopposed candidate elected to office and cancel the election.

**NOW, THEREFORE, BE IT ORDINANCE BY THE CITY COUNCIL OF THE CITY OF BENBROOK, TEXAS, THAT:**

### **SECTION 1**

The following candidates, who are unopposed in the November 8, 2022 general election, are hereby declared elected to office, to each serve a full two-year term and shall be issued a certificate of election:

Member of the Council, Place 2  
Member of the Council, Place 4  
Member of the Council, Place 6

Renee Franklin  
Dustin Phillips  
Laura Mackey

## **SECTION 2**

The November 8, 2022 General Election is hereby canceled.

## **SECTION 3**

Pursuant to Title 1, Chapter 2, Section 2.053, of the Texas Election Code each candidate elected so named in Section 1 of this Ordinance shall be issued a certificate of election after the November 8, 2022 election date.

## **SECTION 4**

Each candidate so elected shall execute the Statement of Elected Official prior to being administered the oath of office as prescribed by the Benbrook Home Rule Charter.

## **SECTION 5**

The City Secretary is hereby directed to post a copy of the Order of Cancellation at each designated polling place on November 8, 2022.

## **SECTION 6**

This ordinance shall be cumulative of all provisions of ordinances of the City of Benbrook, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

## **SECTION 7**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

## **SECTION 8**

The City Secretary is hereby directed to engross and enroll this Ordinance by copying the caption, Section 1, and the effective date in the minutes of the City Council of the City of Benbrook and by filing this Ordinance in the Ordinance records of the City of Benbrook.

## **SECTION 9**

This Ordinance shall be in full force and effect after its passage, and it is so ordained.

**PASSED AND APPROVED on this 1st day of September 2022**

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Jason Ward, Mayor

ATTEST:

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Joanna King, City Secretary